

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

----- X  
DERECK JACKSON

Civil No. 04-12401-RCL

v

UNITED STATES OF AMERICA  
----- X

PETITIONER'S MOTION FOR ENLARGEMENT  
OF TIME IN WHICH TO FILE A TRAVERSE  
TO GOVERNMENT'S OPPOSITION TO HIS  
2255 PETITION

Pursuant to Fed. R. Civ. P. 6(b), Petitioner, Dereck Jackson, pro se, requests this Honorable Court to grant him a ninety (90) day enlargement of time in which to file his response to the Government's Opposition to Petitioner's Motion to Vacate, Set Aside, or Correct Sentence. Petitioner states the following in support thereof:

1. Petitioner, Dereck Jackson hereinafter ("Jackson") pro se, is currently incarcerated at USP-Lewisburg, Pennsylvania.

2. Jackson filed a Petition for writ of habeas corpus pursuant to U.S.C. § 2255 on November 8, 2004.

3. Government Attorneys filed thier Opposition to Jackson's Motion to vacate, set aside, or correct sentence on December 20, 2004.

4. Jackson recieved the Government's Opposition at USP-Lewisburg on December 22, 2004.

5. Government Attorneys have raised complex legal arguments in thier Opposition to Jackson's Motion.

6. Jackson will object to all of the Government's arguments, including thier supposed interperatation of the effects that Blakely v Washington, is likely to have on the Federal Sentencing, at is applies to my sentence, and Jakson will argue that he can demonstrate to the Court that he can meet the two prong Srickland test for ineffecive assistance of counsel.

7. Jackson is proceeding pro se, he has no formal education nor training in the Law, he has only a rudimentary understanding of the Fedreal Rules and Civil Procedures, and thus is at a severe disadvantage against the the Government's Attorneys.

8. Jackson's Petition to vacate, set aside, or correct sentence is meritorious.

9. An enlargement of time of ninety (90) days will allow Jackson to research the Law properly and to give a thorough response as to why he should succeed on his 2255 Motion.

10. Unlike the Government's Attorneys, Jackson has limited access to the law library facilities at USP-Lewisburg, and limited legal material on which to base his response. The law library at USP-Lewisburg has no computers, it has only approximately ten (10) typewriters, and is closed Friday evenings, all day Saturdays, and Sunday evenings . Also the law library at USP-Lewisburg is closed whenever there is a "lock down" for either security, or Administration reasons.

11. Jackson works in the Prison Factory (UNICOR), he mandatoraly must be at his work assignement Monday through Friday 7AM to 3PM, for these reasons Jackson is limited in his access to the law library to a few hours per week.

12. Jackson submits that the Government will not be prejudiced by the Court allowing him to Traverse thier argument against his 2255 Motion, nor will they be prejudiced by the Court granting him an enlargement of time of ninety (90) days in wich to Traverse thier Opposition, as it will allow Jackson who is proceeding pro se, and is sentenced to approximately seventeen years in federal prison, to prepare a thorough, and complete Traverse.

13. Wherefor the Petitioner requests an enlargement of time until March 30, 2005, or niney days, in which to respond to the Government's Opposition to his 2255 Motion.

Date: December 27, 2004

Respectfully submitted,

Dereck Jackson

Dereck Jackson 24039-038  
U.S. Penitentiary  
P.O. Box 1000  
Lewisburg, PA 17837

**CERTIFICATE OF SERVICE**

I, Dereck Jackson, hereby certify that on this 27th day of December, 2004, I caused to be served one true and correct copy of the foregoing: Petitioner's Motion for Enlargement of Time in which to file a Traverse to Government's Opposition to his 2255 Petition, on the below named by placing same in the U.S. Postal outgoing mail receptacle at U.S.penitentiary, Lewisbrg, PA 17837

Timothy Q. Feeley  
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Suite 9200  
1 Courthouseway  
Boston, MA 02210

Dereck Jackson

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